

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

| | | |
|------------------------------------|---|-----------------------|
| DARREN MITCHELL, | : | CIVIL ACTION NO. |
| Plaintiff, | : | 1:09-CV-0714-RWS |
| | : | |
| v. | : | |
| | : | |
| JUDY ZIEGLER, Computation | : | |
| Section/Website Administration; et | : | PRISONER CIVIL RIGHTS |
| al., | : | 42 U.S.C. § 1983 |
| Defendant. | : | |

ORDER

Plaintiff, Darren Mitchell, has filed this pro se civil rights action. By Order entered on September 16, 2009, this Court screened Plaintiff's amended complaint pursuant to 28 U.S.C. § 1915A and allowed his due process claim to proceed against Defendant Judy Ziegler. [Doc. 49].

On January 12, 2010, Defendant Ziegler filed a pre-answer motion to dismiss the amended complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). [Doc. 64]. Defendant's certificate of service reflects that she mailed the motion to Plaintiff at B-Pod-B-2, Bleckley County Jail, 345 Hwy. 87 Bypass N., Cochran, Georgia, 31014. [Id. at 4]. At the time Defendant filed her motion to dismiss, however, Plaintiff was incarcerated at the Elayn Hunt Correctional Center ("EHCC"), P.O. Box 174, St. Gabriel, Louisiana, 70776-0174. [Doc. 58].

Plaintiff recently has notified this Court that he has been transferred to a new prison: the David Wade Correctional Center, 670 Bell Hill Road, Homer, Louisiana, 71040. [Doc. 68-1]. Because it appears that Plaintiff has not received a copy of Defendant's motion to dismiss, the Clerk of Court is **DIRECTED** to transmit to Plaintiff a copy of the motion to dismiss [Doc. 64] along with the attached memorandum of law and exhibits. Plaintiff shall have **TWENTY (20)** days from the entry date of this Order to file a response to Defendant's motion to dismiss.

Plaintiff further asks this Court for the address of Defendant's counsel. [Doc. 68-2]. Plaintiff's request [Doc. 68-2] is **GRANTED** to the extent that the Clerk is **DIRECTED** to transmit to Plaintiff a copy of the docket report, which contains the address of Defendant's counsel.

Finally, on January 27, 2010, this Court entered an Order denying Plaintiff's motion to compel an answer and motion for the appointment of counsel. [Doc. 65]. That Order was mailed to Plaintiff's former address at the EHCC and has been returned to this Court as undeliverable. [Doc. 66]. Accordingly, the Clerk is **DIRECTED** to transmit to Plaintiff a copy of this Court's January 27, 2010, Order.

IT IS SO ORDERED, this 19th day of February, 2010.

A handwritten signature in black ink, reading "Richard W. Story", is written over a horizontal line.

RICHARD W. STORY
United States District Judge